

Title 8 ZONING

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All of the land lying within an A-2 general agricultural district may be used for any of the following uses, under the following regulations set forth in this chapter. (Ord. 1569; Ord. 1555; prior code § 8156 (part); Ord. 1406).

Article 84-38.4. Uses**84-38.402 Permitted.**

Uses permitted in the A-2 district shall be as follows:

- (1) All types of agriculture, including general farming, wholesale horticulture and floriculture, wholesale nurseries and greenhouses, mushroom rooms, dairying, livestock production, fur farms, poultry raising, animal breeding, aviaries, apiaries, forestry, and similar agricultural uses.
- (2) Other agricultural uses, including the erection and maintenance of buildings for the storage of agricultural products and equipment; sheds; warehouses; granaries; dehydration plants; hullers; fruit and vegetable packing plants; and agricultural cold storage plants on parcels at least ten acres in size.
- (3) A grower stand or farm stand.
- (4) A detached single-family dwelling on each parcel and the accessory structures and uses normally auxiliary to it.
- (5) Foster home or family care home operated by a public agency, or by a private agency which has obtained state or local approval (license) for the proposed operation, where not more than six minors reside on the premises with not more than two supervisory persons.
- (6) A family day care home where care, protection and supervision of twelve or fewer children in the provider's own home are provided for periods of less than twenty-four hours per day, while the parents or guardians are away.
- (7) Residential second units complying with the provisions of Chapter 82-24. (Ords. 2007-23 § 3, 2006-19 § 4, 94-28 § 2, 86-43 § 13, 68-25 § 2, 1968, 1569, 1555, 1535: prior code § 8156(a): Ord. 1406).

84-38.404 Uses with land use permit.

The following uses may be allowed in an A-2 district on the issuance of a land use permit:

- (1) Home occupations.
- (2) Publicly owned parks and playground.
- (3) Dude ranches, riding academies and stables, and dog kennels.
- (4) Publicly owned buildings and structures, except as provided in Division 82.
- (5) Commercial radio and television receiving and transmitting facilities but not including broadcasting studios or business offices.
- (6) Wind Energy Conversion Systems. This use is allowed without a land use permit if used only as an accessory to an allowable residential or agricultural use.
- (7) A family care home where care, protection and supervision of thirteen or more children in the provider's own home are provided for periods of less than twenty-four hours per day, while the parents or guardians are away.
- (8) Hospitals, animal hospitals, eleemosynary and philanthropic institutions, and convalescent homes.
- (9) Churches, religious institutions, and parochial and private schools, including nursery schools.
- (10) Community buildings, clubs, and activities of a quasi-public, social, fraternal, or recreational character, such as golf, tennis or swimming clubs, or veterans' or fraternal organizations. These uses are prohibited if organized for monetary profit.
- (11) One additional single-family dwelling.
- (12) Medical and dental offices and medical clinics.
- (13) Merchandising of agricultural supplies and services incidental to an agricultural use.
- (14) Wineries, commercial kitchens, or other facilities for creating value-added farm products.
- (15) Canneries.
- (16) Slaughterhouses and stockyards.
- (17) Rendering plants and fertilizer plants or yards.
- (18) Livestock auction or sales yards.
- (19) Living accommodations for agricultural workers to be primarily used for temporary housing of agricultural workers while performing seasonal agricultural work on the owner's property.
- (20) Commercial recreational facilities when the principal use is not in a building.
- (21) Boat storage areas within one mile by public road of a boat launching facility open to the public.
- (22) Retail firewood sales.
- (23) Recycling operations intended to sort or process material for reuse. Junkyards, defined in Section 88-4.206, are prohibited.
- (24) Museums in which objects of historical, artistic, scientific or cultural importance are preserved and displayed.
- (25) A farm market.
- (26) Agricultural cold storage plants on parcels less than ten acres in size. (Ords. 2007-23 § 4,

2003-11 § 3, 94-28 § 2, 89-46 § 2, 76-36 § 3, 7437 § 2, 60-82, 1988, 1569 § 2: prior code § 8156 (b); Ords. 1406 § 3, 497 § 4, 382 § 4E).

84-38.406 Uses—Refuse disposal site—Permit required.

Refuse disposal sites are permitted in the A-2 district upon the issuance of a permit under the provisions of Chapter 418-4. (Ord. 72-89 § 2, 1972).

Article 84-38.6. Lots

84-38.608 Lot area, width and depth.

Except as provided in Section 84-38.610, uses allowable under Article 84-38.4 are allowable only on lots which equal or exceed all of the following: five acres in area, two hundred fifty feet average width, and two hundred foot depth. (Ord. 73-86 § 1 (part), 1973).

84-38.610 Existing legal lots excepted.

Any single lot legally created in an A-2 district before November 29, 1973, at least forty thousand square feet in area may be used as provided in Article 84-38.4. (Ord. 73-86 § 1 (part), 1973).

Article 84-38.8. Building Height

84-38.802 Building height—Maximum.

No structure or building permitted in an A-2 district shall exceed two and one-half stories or thirty-five feet in height, whichever is greater. (Ord. 2003-11 § 4, Ord. 1569: Ord. 1555: prior code § 8156(f): Ord. 1406).

Article 84-38.10. Yards

84-38.1002 Yard—Side.

There shall be an aggregate side yard width of at least forty feet. No side yards shall be less than twenty feet in width. No barns, stables, apiaries, aviaries, or other buildings or structures used to house livestock, grain-fed rodents, bees, birds, or poultry shall be located in the A-2 district nearer than fifty feet to the boundary line of any residential land use district. (Ord. 1569: Ord. 1555: prior code § 8156(g): Ord. 1406).

84-38.1004 Yard—Setback.

Any structure in the A-2 district shall have a setback (front yard) of at least twenty-five feet except on corner lots, where the principal frontage of the lot shall have a setback of at least twenty-five feet and the other setback shall be at least twenty feet. (Ord. 2003-11 § 5, Ord. 1569: Ord. 1555: prior code § 8156(g): Ord. 1406).

84-38.1006 Yard—Rear.

There shall be a rear yard of at least fifteen feet for any structure. (Ord. 1569: Ord. 1555: prior code § 8156(i): Ord. 1406).

Article 84-38.12. Land Use and Variance Permits

84-38.1202 Land use and variance permit—Granting.

Land use permits for the special uses enumerated in Section 84-38.404 and variance permits to modify the provisions contained in Sections 84-38.602 through 84-38.1006 may be granted in accordance with Chapter 82-6. (Ord. 1569; Ord. 1555; prior code § 8156(j); Ord. 1406).

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Chapter 84-40 A-3 HEAVY AGRICULTURAL DISTRICT

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Article 84-40.6. Lots

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Article 84-40.10. Yards

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Article 84-40.12. Land Use and Variance Permits

84-40.1202 Land use and variance permit—Granting.

Article 84-40.2. General

84-40.202 General provisions.

All land within an A-3 heavy agricultural district may be used for any of the following uses, under the following regulations set forth in this chapter. (Ord. 1569; prior code § 8157 (part); Ord. 1241).

Article 84-40.4. Uses

84-40.402 Uses—Permitted.

Uses permitted in the A-3 district shall be all the uses designated for the A-2 district in Section 84-38.402 of this code. (Ords. 2006-19 § 5, 1569, 1535; prior code § 8157(a); Ord. 1241).

84-40.404 Uses with land use permit.

The following uses may be allowed in an A-3 district on the issuance of a land use permit:

(1) All allowed uses listed in Section 84-38.404, except livestock auction and sales yards.

(2) Processing of milk not produced on the premises.

(Ords. 2003-11 § 6, 94-28 § 3, 74-37 § 3, 1569 § 24, 1535 § 4; prior code § 8157(b); Ords. 1241 § 2 [382 § 4(X)]).

84-40.406 Uses—Refuse disposal site—Permit required.

Refuse disposal sites are permitted in the A-3 district upon the issuance of a permit under the provisions of Chapter 418-4. (Ord. 72-89 § 3, 1972).

Article 84-40.6. Lots

84-40.602 Lot—Area.

No agricultural pursuit shall be permitted and no structure permitted in the A-3 district shall be erected or placed on a lot smaller than ten acres, except that poultry raising, raising of grain-fed rodents, berry farming, greenhouses and nurseries, mushrooms rooms, fur farms, aviaries, and apiaries may be permitted on a lot at least two and one-half acres in area. (Ord. 1569; prior code § 8157(c); Ord. 1241).

84-40.604 Lot—Width.

No agricultural pursuit shall be permitted and no structure permitted in the A-3 district shall be erected or placed on a lot less than one hundred forty feet in average width. (Ord. 1569; prior code § 8157(d); Ord. 1241).

84-40.606 Lot—Depth.

There shall be no minimum lot depth in the A-3 district. (Ord. 1569; prior code § 8157(e); Ord. 1241).

Article 84-40.8. Building Height

84-40.802 Building height—Maximum.

(a) Except as provided in subsection (b) of this section, there shall be no maximum building or structure height in the A-3 district.

(b) No residential structure or building permitted in an A-3 district shall exceed two and one-half stories or thirty-five feet in height, whichever is greater. (Ords. 2006-19 § 6, 1569; prior code § 8157(f); Ord. 1241).

Article 84-40.10. Yards

84-40.1002 Yard—Side.

No side yards shall be less than twenty-five feet wide; barns, stables, and other buildings or

structures used to house livestock, grain-fed rodents, or poultry shall be at least fifty feet from the boundary line of any residential land use district. (Ord. 1569: prior code § 8157(g); Ord. 1241).

84-40.1004 Yard—Setback.

There shall be a setback (front yard) of at least twenty-five feet for any building or structure. (Prior code § 8157(h); Ord. 1241).

84-40.1006 Yard—Rear.

There shall be a setback of at least twenty-five feet for any building or structure. (Prior code § 8157(i); Ord. 1241).

Article 84-40.12. Land Use and Variance Permits

84-40.1202 Land use and variance permit—Granting.

Land use permits for the special uses enumerated in Section 84-40.404 and variance permits to modify the provisions contained in Sections 84-40.602 through 84-40.1006 may be granted in accordance with this Chapter 82-6. (Ord. 1569: prior code § 8157(j); Ord. 1241).

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